

REMARKS

The present Amendment is in response to the Official Action mailed January 25, 2007. Claims 1, 5, and 8 have been amended. Claims 2 and 4 have been canceled. Claims 9-18 have been added. Therefore, claims 1, 3, and 5-18 remain currently pending in the present application. The following sets forth Applicants' remarks relating to the currently pending claims and the outstanding action.

In the Official Action, the Examiner rejected originally presented claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,113,637 to Gill et al. ("Gill"), and originally presented claims 2-8 under 35 U.S.C. §103(a) as being unpatentable over Gill in view of U.S. Patent No. 6,139,550 to Michelson ("Michelson"). Essentially, it is the Examiner's opinion that Gill alone teaches each and every one of the limitations set forth in originally presented claim 1, but that the combination of Gill and Michelson renders the additional limitations presented in claims 2-8 as obvious. Tantamount to these additional limitations is the inclusion of a flexible head in the retaining device, where the flexing and flattening of the head creates a firmer locking of the retaining device. Certain of the claims have been amended above, and Applicants believe that these amendments render the rejections in view of Gill and Michelson moot.

Both independent claim 1 and independent claim 8 have been amended in the present response to require that the head flange of the retaining device include at least one stress relief area contained within the confines of the head flange, but not extending through the outermost portion of the head flange. This at least one stress relief provides for the head flange to be at least somewhat flexible in a substantially axial direction with respect to the threaded attachment member. These amendments are fully supported in both the originally filed

FIGS. 19a-19c, as well as in the originally filed disclosure of the present application (See paragraph [0089]). In addition, new claims 9-18 have been added above in order to more clearly claim the different constructions the present invention was intended to capture.

Applicants respectfully submit that the structure now claimed in the currently pending claims is far different than that taught in either Gill or Michelson, or the combination thereof. By the Examiner's own admission, Gill does not teach a retaining device having a flexible head flange, nor does it teach providing stress reliefs for this purpose. Michelson, on the other hand, does teach a retaining device having a flexible head, but does not teach providing stress reliefs which do not extend through the outermost portion of the head flange. In fact, the only structure Michelson teaches is providing slots or slots which do in fact extend through the outermost portion of the head flange of the retaining device. As such, the currently pending claims are quite different from that taught in Gill and Michelson, and Applicants respectfully submit that such claims are therefore neither anticipated nor obviated by those disclosures.

In light of the above, Applicants respectfully submit that independent claims 1 and 8 constitute allowable subject matter. Given that the remaining claims properly depend from either independent claim 1 or independent claim 8, such claims also necessarily constitute allowable subject matter. A dependent claim is necessarily narrower than an independent claim from which it properly depends. Thus, Applicants respectfully request allowance of each and every one of the currently pending claims.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

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If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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